

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
MEETING ROOM #113
THURSDAY, JANUARY 21, 1999
8:15 A.M.**

Commissioners Present: Kathy Campbell, Chair
Larry Hudkins
Bob Workman

Commissioners Absent: Bernie Heier
Linda Steinman

Others Present: Kerry Eagan, Chief Administrative Officer
Diane Staab, Deputy County Attorney
Melissa Koci, County Clerk's Office

AGENDA ITEM

4 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant

Gordon Kissel, Legislative Consultant, appeared and presented a brief legislative update and review of bills of interest to Lancaster County (Exhibit A).

Kissel reported LB374 would require the parents and guardians to participate in the therapeutic services needed for the rehabilitation of the juvenile.

Hudkins asked Kissel to explain what the change might be.

Kissel reported the bill requires the parents to participate in the rehabilitation process.

Kissel noted LB376 amends the reimbursement provisions and indicates that a court may direct that a reasonable portion of the costs for support, study and treatment of the juvenile be reimbursed from a parent up to six months after the court terminates jurisdiction over the minor as long as proper notice has been given.

Kissel stated LB447 creates a Task Force to study the state juvenile probation system and the Task Force would identify an appropriate workload formula for probation officers, access needs of juveniles on probation and accessibility of services available to the juveniles. The Task Force would clarify core responsibilities of probation and assess whether juveniles on probation should be combined with other youth and family services.

Kissel reported LB448 creates a Juvenile Community Services Cash Fund, which is funded by a ten dollar docket fee in civil and criminal proceedings filed in all courts of the state. Kissel said the Office of Juvenile Services will use 40% of the fund for development of community-based programs and the other 60% would be distributed to counties proportionately based on the number of 13-19 year olds living in each county compared to the total number living in the state based on the most recent federal census. Kissel noted the counties may use the money for juvenile offenders, in the areas of day reporting centers and tracker programs, drug and alcohol treatment programs, teen courts, gang prevention services, parent training and so forth.

Kissel noted LB512 requires the state to pay the costs of placement and transportation costs of juveniles and also deletes the language that required the county to pay the costs of delivering the juvenile to the state facility and the costs of returning him or her to court.

Kissel reported LB609 provides that the parents that are able to pay would be responsible for all costs of court ordered placement and commitment care, treatment and education for their children.

Regarding LB610, Kissel noted the bill would amend the costs of care and treatment in various situations. Kissel stated the case of detention or in the placement of his or her own home the costs of care could be paid by either parental or private funds and if neither funds are available, the juvenile may be committed to the care and custody of the Department of Health and Human Services or the Office of Juvenile Services.

Kissel reported LB611 creates the Juvenile Justice System Coordination Team which would implement solutions to juvenile justice issues, share information, recommend policy and monitor and evaluate programs in the Juvenile Justice System.

Kissel noted LB649 provides changes in the guardian ad litem appointment which means the court may appoint either an attorney or layperson.

On LB652, Kissel reported the bill would allow Department of Health and Human Services to develop a juvenile correctional facilities masters plan to guide decisions regarding the renovation and improvement of the youth rehabilitation and treatment centers and development of any new juvenile correctional facilities. He also said the cigarette tax would be increased for a period of five years with the additional tax revenue being used to implement the master plan and construct or renovate the juvenile facilities.

Campbell asked Kissel if there is a list for the Senators regarding bills that would like to add money to the cigarette tax.

Kissel indicated there is a committee that categorizes bills.

Hudkins indicated he hopes more Senators will sign LB512 and then questioned the procedure for people signing on to bills after they have been introduced.

Kissel reported a person needs to file a motion that they would like to have their name added and they do it automatically.

Kissel noted LB24 is scheduled for hearing on Friday which is in regards to the costs of divorce proceedings and LB357 regarding the inheritance tax repeal was reintroduced. Kissel also noted LB160 and LB282 are on the floor regarding the Y2K problem.

Hudkins indicated there is a lot of support across the state for LB357 and if the bill does pass, the funds have to be replaced for counties.

Campbell noted when a County has money that has been allocated directly to counties through an inheritance tax, the county never really maintains the original amount that they were getting.

Dave Kroeker, Budget & Fiscal Officer, indicated the state aid the County received before was to replace personal property.

Kissel asked Kroeker to put together a one-page letter of funds that Kissel is to watch for.

Hudkins noted Senator Beiers is against LB357, which eliminates the inheritance tax coming into the counties.

Kroeker said if LB357 does pass, it would hurt Lancaster County.

Workman asked what the dollar figure was for Lancaster County.

Kroeker indicated it is \$3 million and it is direct property tax relief which was adopted by the County Board and allocated to the General Fund, Health Center Fund and Property Management Fund.

Hudkins reported it is an unrestricted fund and the monies can be used wherever they need it.

Kerry Eagan, Chief Administrative Officer, appeared and discussed LB108, which deals with public records in the Assessor's Office and allows some agencies with a court order to remove their address from the public record.

Norm Agena, County Assessor, appeared and said if the bill does pass and the address is deleted and made confidential, a person can read the property record card which has the legal description listed and they can go to a plat book, look up the description and obtain the address.

Eagan reported LB496 gives telecommunications companies the same rights as other public utilities in right-of-ways. Eagan noted it could have a big impact as Cablevision expands their right to go into County's right-of-ways free of charge.

Eagan also noted the following LB's should be watched:

- * LB96 - Non-partisan election of county officers
- * LB53 - No sales tax on copies of public records.

Eagan questioned the value added basis to the documents and that they may still be required to pay sales tax on the GIS maps because of the extra value that Lancaster County puts into it.

- * LB104 - Home Rule Charter Counties
- * LB140 - TERC - Lancaster County has no reason to oppose the bill.
- * LB604 - Creates an additional 9 year period of Veteran's eligible for county aid.

Campbell asked if the Home Rule Charter was going to pass.

Kissel said he didn't think so.

1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY, JANUARY 14, 1999

MOTION: Hudkins moved and Workman seconded approval of the minutes of January 14, 1999. On call Hudkins, Workman and Campbell voted aye. Heier and Steinman were absent. Motion carried.

2 ADDITIONS TO THE AGENDA

- a. Set Salary Range for Emergency Management Director
- b. Request from County Sheriff to Convert Full-time Temporary Employee to Full-time Employee (Records System Specialist)
- c. Three Microcomputer Requests from Lancaster Manor, C#99008, C#99009 and C#99010 (Exhibit B)
- d. Attorney's Fees Claim for SSI Benefits
- e. Letter Regarding Waste Reduction Program
- f. Letter Regarding Yankee Hill Road

MOTION: Hudkins moved and Workman seconded approval of the additions to the agenda. On call Hudkins, Workman and Campbell voted aye. Motion carried.

9 CONSENT ITEMS

- a. Microcomputer Requests:
 1. From County Court, C#99006, for \$1,283.53 from County Court Budget for Compaq Deskpro, Monitor, CD-ROM
 2. From County Clerk, C#99007, for \$1,914.65 from Microcomputer Fund for Compaq Deskpro, Monitor, InkJet Printer, CD-ROM, Speakers, WordPerfect 8.0
 3. From Lancaster Manor, C#99008, C#99009 and C#99010, for \$9,302.08 from the Leasehold Corporation Fund for four Pentiums

MOTION: Hudkins moved and Workman seconded approval of the Consent Items.

Bruce Medcalf, County Clerk, appeared and indicated the amount for the County Clerk request should be \$1,970.

ROLL CALL: On call Hudkins, Workman and Campbell voted aye. Motion carried.

13 DISCUSSION OF BOARD MEMBER MEETINGS

There were no Board meetings to discuss.

2 ADDITIONS TO THE AGENDA

- a. Set Salary Range for Emergency Management Director

Eagan indicated a salary needs to be set for the Emergency Management Director whose previous salary was \$47,500.

After some discussion, the Board agreed to list the job as "salary will depend on qualifications and experience, previous director was mid 40's".

- b. Request from County Sheriff to Convert Full-time Temporary Employee to Full-time Employee (Records System Specialist)

Eagan distributed documentation regarding the Records System Specialist (Exhibit C) and indicated that the employee who is out on family leave claims she will be coming back to work, but the reality is she will not. Eagan said the Sheriff has tried to fill the position twice on a full-time temporary position and people are hesitant to take a full-time temporary position for a grave yard shift. Eagan said if the employee comes back to work, the Sheriff would have to find a job for her to do.

MOTION: Hudkins moved and Workman seconded to authorize the County Sheriff to fill the position of Records System Specialist as a full-time employee, but if the employee on disability goes back to work, the new full-time employee will not be added. On call Workman, Hudkins and Campbell voted aye. Motion carried.

5 N 141ST STREET BRIDGE; W FLETCHER RIGHT-OF-WAY ACQUISITION - Don Thomas, Lancaster County Engineer

Campbell indicated the question was whether the bridge can be repaired rather than using the funds to totally replace the bridge.

Don Thomas, County Engineer, appeared and indicated if the bridge is rehabilitated it is not eligible for Federal funds. Thomas said the best way to picture the problem is by looking at the foundation and in order to do anything it would have to be dewatered and the slopes would have to be laid back further. If those things are done, there is still an 80-foot truss.

Campbell asked the age of the bridge.

Thomas indicated the bridge was rehabilitated in 1980, but the truss is from the 1920's or 30's.

Hudkins asked when the last time the bridge was rehabilitated.

Larry Lewis, Speech Lewis Engineering, stated it was 1996.

Hudkins asked who designed the bridge in 1980.

Lewis indicated John Porter, who is now retired, designed the bridge.

Thomas stated the Board will be signing a programming agreement which states the bridge is on the National Bridge Division list and is eligible for federal bridge replacement funds and the County wishes to apply for the funds. Thomas stated it commits Lancaster County to nothing even though the agreement says if a person intends to do this they are obligated to 20% and it does not commit the county to do anything until such time as the bridge is actually programmed.

Thomas indicated the Counties and State allocate so much federal money for roads each year but bridges are first come, first serve and they come from a different category.

Thomas also indicated the County Engineer has repaired the pilings and the pilings have moved again and won't stop until it is dewatered.

The traffic count on the N 141st Street Bridge is 15 cars per day.

Lewis reported the only good way to rehabilitate the bridge is to go in and dewater and lay the slopes back, which ends up with truss in the middle. Lewis said 3 three years ago a temporary repair was made to hopefully keep the bridge open for another 8 to 10 years, but there are signs that the west pier is moving and has even moved within the last month.

The Board agreed the item would be under Old Business on Tuesday's agenda.

In regards to the W. Fletcher Right-of-Way Acquisition, Thomas indicated the Nelson's have asked the County Engineer to look at a new driveway alignment. Thomas said he would hopefully have the survey information within the next week or so.

Campbell asked Thomas if the County Clerk's Office can go ahead with the contracts that are being held at her request.

Thomas suggested to move the contracts forward and he would work with the Nelson's.

Campbell said if the Nelson's can make some adjustments to the driveway without changing the policy, she would be for the project.

Hudkins stated the Nelson's are questioning the area east of Mr. Borchers' house which would hold the road over as far as possible without getting into the trees by his house and do a realignment for the driveway.

Thomas suggested to the Board that if they are going to hold the contracts that they notify the two landowners, Borchers' and Oneth's.

The Nelson's indicated they are not disputing the driveway.

Thomas stated the driveway can be built, but the driveway was not provided for in the plans and the Engineer would have to find the dirt.

Campbell thought there was a question on the driveway and the design of the driveway as it comes up to the road.

Thomas indicated the Nelsons are trying to change the procedure and build a longer driveway.

Campbell reported she cannot support the change.

Hudkins said it was his understanding that if the Engineer looked at repositioning the driveway to accommodate the Nelsons in such a way that it would be on a direct route, no elevation and a realignment of the rotor and they took some more trees or needed some more dirt on the Borchers side, it could be done. He indicated he cannot support the change.

The Nelson's indicated they are talking about the curve in front of the proposed driveway.

Hudkins asked why the Nelson's are objecting to a curvature in the road and not staying on the center line.

The Nelson's stated the trees in discussion are older trees and not of substantial value that could continue to be on the center of the road.

Hudkins indicated the change cannot be achieved behind the neighbors house because the side slopes would have to be done in such a fashion that it will effect the trees that are immediately north of the house which could be very costly to the county.

Campbell stated the County Engineer will continue with the design that was given, which will not affect the Oneth's or Borchers', but he will try to work to find the dirt for the Nelson's.

MOTION: Hudkins moved and Workman seconded to delay the three contracts regarding the Nelson's, Borchers' and the Oneth's for two weeks and send them a letter indicating that the County Board needs two weeks.

Campbell requested the Clerk's Office to send the letter, on behalf of the County Board, and indicate that action will be taken on the contracts on Tuesday, February 2, 1999 at 1:30 p.m.

ROLL CALL: On call Hudkins, Workman and Campbell voted aye. Motion carried.

6 OFFICIALS BOND - Sue Eckley, Worker's Compensation and Risk Manager;
Mike Herring, UNICO

Sue Eckley, Worker's Compensation and Risk Manager, appeared and distributed documentation regarding Bonds and Employee Dishonesty Coverage (Exhibit D).

Eckley indicated Lancaster County has a lot of limits higher than what the statute requires with regards to Official Bonds. She stated the resolution expired in January 1995 and Lancaster County has been operating under the same resolution ever since. Eckley also noted Lancaster County could decrease the County Treasurer's bond back to the limit in the statute.

Mike Herring, UNICO Group, appeared and stated the individual position bonds were provided by UNICO in past years and when they became involved in the County's insurance program and took over providing the Employee Dishonesty Bond they looked at a way to put them together. Herring suggested to change the name of the bond to Lancaster County and add an endorsement that makes it clear that Elected Officials and other positions are covered under the Employee Dishonesty Bond on a blanket basis. Based on the cost and benefits, Herring felt it is appropriate that the bond be increased. Herring also indicated if the bond were increased to \$500,000, there would be an additional annual premium of only \$433.

Herring also recommended that the County Treasurer's Bond be reduced by \$10,000 and since the Hartford blanket bond would apply in excess of the amount, the County Treasurer position would have a limit of \$510,000. By reducing the County Treasurer Bond there would be a reduction in premium of approximately \$1,500, which not only covers the cost of increasing The Hartford blanket bond, but it also puts some dollars back in the pocket of Lancaster County.

MOTION: Hudkins moved and Workman seconded to move the proposal to the County Attorney's Office for review and preparation of an appropriate resolution. On call Hudkins, Workman and Campbell voted aye. Motion carried.

Larry Worrell, County Surveyor, appeared and discussed briefly issues regarding LB496, which takes the rights of obtaining fees from occupation of right-of-way away from Lancaster County and gives them to the State. Worrell indicated the bill takes the old statute that was provided for the telephone and telegraph companies that allowed them the right of public use of public rights-of-way without any recourse unless there is a policy set down by the political subdivisions. Worrell said the bill allows them the right of any use of any public and political subdivision subject to meeting certain criteria set out by municipalities. He also stated they are pushing for right of eminent domain for communication towers.

7 SCANNER - Dan Nolte, Register of Deeds; Maura Kelly, Chief Deputy Register of Deeds; Brian Pillard, Records & Information Manager

Maura Kelly, Chief Deputy Register of Deeds, appeared and indicated Dave White, who was contracted by Lancaster County, has a 36" scanner available and is willing to sell the scanner and all parts to Lancaster County.

Brian Pillard, Records & Information Manager, appeared and said that the acquisition would be beneficial for Lancaster County.

Bob Workman asked about the cost of the scanner.

Kelly indicated White is asking over \$6,950 for the scanner, attachments, scanner software and a Pentium 100 computer loaded with software. She noted a new scanner is \$10,000 would cost more than \$10,000.

Campbell asked where the scanner would be located.

Pillard indicated the scanner can be located in his office and he is willing to transport the plats back and forth to the Register of Deeds Office.

Eagan suggested talking with Kathy Smith, Purchasing, regarding price because the amount is over \$2,500.

MOTION: Hudkins moved and Workman seconded to direct the Register of Deeds and Records & Information Management to contact Purchasing and negotiate a price for the equipment. On call Workman, Hudkins and Campbell voted aye. Motion carried.

Hudkins indicated he met with Dave Kroeker regarding the funds for the scanner and Kroeker stated the Register of Deeds has \$4,000 in the budget that was saved for a previous project and the rest of the funding would come from the microcomputer or contingency fund. Hudkins reported Kroeker will find the appropriate accounts to pay for the equipment.

2 ADDITIONS TO THE AGENDA

d. Attorney's Fees Claim for SSI Benefits

Eagan indicated there is a resolution out regarding Supplemental Security Income and payment for legal services which allows attorney's who retain clients to be SSI eligible. Eagan noted that without the services of the attorney, Lancaster County would not see the reimbursement for what was paid out to general assistance. Eagan also stated a policy was passed that stated any claims for legal services had to be made in compliance with the Claims Statute and "All claims against the County for contracts for services rendered have to be presented to the County within 90 days after the date of service." The other requirement is the attorney must notify Lancaster County in writing that they are taking on the client.

Campbell stated the item will be scheduled on next Tuesday's Board meeting.

e. Letter Regarding Waste Reduction Program

Campbell indicated Steinman received a letter from the State of Nebraska regarding litter reduction and waste. The Board agreed to send the letter to Harry Hafer, Department of Health & Human Services.

f. Letter Regarding Yankee Hill Road

Campbell reported Steinman received a letter from a gentleman questioning the proposal in the Comprehensive Plan regarding Yankee Hill Road being a limited access road.

The Board agreed to send the letter to the Planning Department for a response.

8 JUVENILE JUSTICE GRANTS - Kit Boesch, Human Services, Director; Dennis Keefe, Public Defender

Kit Boesch, Human Services Director, appeared and distributed documentation regarding the following grants (Exhibit E):

* Teen Court

This is a continuation grant that has operated three years and conducts two Teen Courts. It is proposed to expand to three courts to accommodate the increase in referrals and the number of volunteers.

* Tracker Program

This contract is with Cedars Youth Services which supervises 8 youth and is an intensive 1-1 program at a cost of approximately \$8.20/day.

* Life Skills Project

This contract is with the Lincoln Mediation Center and handles the Big Brothers/Big Sisters program.

* Detention Alternatives Project (Expediter Program)

* Expediter Services Plan

Both contracts are needed to complete the project. Boesch stated an expediter is needed and the services plan from the expediter is needed to work closely with the Public Defender and Juvenile Court to get youth out of the detention facility and into more appropriate sanctions. The proposal is asking that the new contract be done with Lincoln Action Program because LAP has been interested in the project and they have the largest contingency.

Dennis Keefe, Public Defender, appeared and indicated the Juvenile Court Judges have written letters of support regarding the grants and if Lancaster County gets the grant and contracts with the Lincoln Action Program, they will hire a social worker that will work for the lawyers in the Public Defender's Office, Legal Services and private appointed counsel that will get kids out of detention and quickly through the system.

MOTION: Hudkins moved and Workman seconded to authorize Kit Boesch to submit all the grants and for the Chair to sign all the grants. On call Hudkins, Workman and Campbell voted aye. Motion carried.

Campbell mentioned to the Board that there is a meeting on February 2, 1999 from 9:30 a.m. to 12 p.m. regarding Alternative Programs, Management of the Assessment Center and possible sites of the Assessment Center.

11 ADMINISTRATIVE OFFICER REPORT

- a. County Flag for 4-H for Use During Fair

MOTION: Hudkins moved and Workman seconded approval of lending a flag to the 4-H group during the County Fair. On call Hudkins, Workman and Campbell voted aye. Motion carried.

- c. Internet Policy

Diane Staab, Deputy County Attorney, appeared and distributed two documents regarding an Internet policy (Exhibits F & G). Staab stated Lancaster County does not currently have an Internet Policy and indicated to the Board to read over the sample policies and get back with her.

Staab noted it should be important to let people know that E-mail and Internet usage can be monitored because the equipment is owned by Lancaster County.

Hudkins indicated the policy needs to state that employees need to be made aware that any time they send or receive an E-mail message or make a "Hit" on the Internet, that it can be traced.

Campbell stated the policy needs to state that the employee needs to recognize the time that they are using the county equipment.

Staab indicated it would be up to the Department Head to make sure the employees are not abusing the Internet or E-Mail usage.

The County Board asked Staab to research the exhibits and bring back a special draft regarding E-Mail and Internet usage to the County Board.

18 AGENDA ITEMS FOR COUNTY BOARD MEETING OF JANUARY 26, 1999

Staab indicated there will be a tort claim on the County Board agenda between Community Mental Health and Lancaster County to replace broken glasses and it has been referred to Sue Eckley.

Staab also noted there is an agreement regarding Electronic Monitoring that will be on Tuesday's agenda.

Campbell asked Staab to contact the Planning Department and see whether they want the public hearing on the Sub-Area Plan I and II deferred because the City Council deferred for two weeks. Campbell noted there has been some concern by the Porter Ridge neighbors.

Campbell indicated it would be helpful to the County Board if the County Clerk provides the County Board at the Thursday staff meeting with a list of items and public hearings that will be on the following Tuesday's agenda.

11 ADMINISTRATIVE OFFICER REPORT

c. Mid-Year Budget Retreat Agenda

Eagan indicated the Mid-Year Budget Retreat will be held on Thursday, February 4, 1999 at 8:00 a.m., at the Airport in the Board Room.

Campbell recommended inviting the Airport Authority for lunch and Gordon Kissel for a legislative update.

Eagan stated last year there were too many items on the budget agenda and the Board needs to start with an overview of the budget process with Dave Kroeker. The Board will also discuss the following items:

- * Keno Fund
- * Long Term Building Needs
- * Employee Requests
- * Legislative Update
- * Goals and Accomplishments
- * Committee Assignments

ADJOURNMENT

At the direction of the Chair, the meeting was adjourned.

Bruce Medcalf
Lancaster County Clerk